

Registered with the Registrar
of Newspapers for India under
No. M. 8270



Registered No.
TN/PMG(CCR)/42/09-11
WPP No. 88(556)
Dated : 9-6-2010
Price : Rs. 2-00

புதுச்சேரி மாநில அரசிதழ்
La Gazette de L'État de Poudouchéry
The Gazette of Puducherry

PART - II

சிறப்பு வெளியீடு EXTRAORDINAIRE EXTRAORDINARY

அதிகாரம் பெற்ற
வெளியீடு

Publiée par
Autorité

Published by
Authority

விலை : ரூ. 2-00

Prix : Rs. 2-00

Price : Rs. 2-00

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GOVERNMENT OF PUDUCHERRY
DEPARTMENT OF INDUSTRIAL DEVELOPMENT
(INDUSTRIES AND COMMERCE)

(G. O. Ms. No.1/2010-Ind. B, dated 4th June 2010)

NOTIFICATION

Whereas the Government of Puducherry appointed M/s. South India Textile Research Association (SITRA), Coimbatore in the year 2007 to undertake a techno-economic viability study of Swadeshee-Bharathee Textile Mills Limited, Puducherry with particular reference to identify the causes for the poor performance and suggest measures for improvement;

And whereas M/s. SITRA have made various recommendations in its report which was submitted to Government in April 2007;

And whereas the mills have been incurring continuous loss over the years and hence it is proposed to bring forth a Special Voluntary Retirement Scheme to the employees of Swadeshi Cotton Mills and Sri Bharathi Mills, units of Swadeshee-Bharathee Textile Mills Limited, Puducherry;

And whereas the Council of Ministers has also approved the proposal for introducing the Special Voluntary Retirement Scheme to the employees of Swadeshi Cotton Mills and Sri Bharathi Mills;

Now, therefore, approval of the Lieutenant-Governor, Puducherry is hereby conveyed for the implementation of the following Special Voluntary Retirement Scheme to the workers/staff of Swadeshi Cotton Mills and Sri Bharathi Mills, units of Swadeshee-Bharathee Textile Mills Limited, Puducherry, namely :-

Swadeshee-Bharathee Textile Mills Limited
Voluntary Retirement Scheme – 2010

1. *Scheme.*— This scheme shall be called ‘Swadeshee-Bharathee Textile Mills Limited - Voluntary Retirement Scheme - 2010’. This scheme is formulated for the purpose of reducing losses by reducing surplus labour and to make the company viable.

2. *Scope.*— This scheme shall apply to all regular/ permanent employees, badli/ substitute/ temporary/ casual workers (by whatever name called) who are within the sanctioned strength and whose name appears in the muster rolls of Swadeshi Cotton Mills or Sri Bharathi Mills, who have completed 10 years of service.

3. *Eligibility.*— (i) All employees mentioned under Paragraph (2) above are eligible to opt for voluntary retirement by tendering resignation from the post held in Swadeshi Cotton Mills or Sri Bharathi Mills in the prescribed form.

(ii) The age of superannuation / retirement shall be 60 years. Retirement benefit under this scheme shall be calculated and paid accordingly.

(iii) Employees who have completed 10 years of service only can apply under the scheme. However, in special cases the above stipulation can be relaxed by the competent authority.

(iv) The management reserves the right to refuse Voluntary Retirement Scheme application without assigning any reasons.

4. *Competent authority.*— The competent authority for accepting an employee's offer for Voluntary Retirement Scheme as applicable, shall be the Chairman / Managing Director.

5. *Benefits under the scheme.*— An employee, whose application for Voluntary Retirement Scheme is accepted, shall be entitled to the following, namely :—

(i) Ex gratia payment equivalent to 35 days wages/salary for every completed year of service and 25 days wages/salary for the balance of service left until superannuation. However, this compensation shall not exceed the sum of the salary that the employee would draw at the prevailing level of the balance of the period left before superannuation.

(ii) Wages/salary for the purpose of Voluntary Retirement Scheme will consist of Basic Pay + Dearness Allowance + House Rent Allowance only. Any amount of *ad hoc*/award will not be taken into account for this purpose.

(iii) Arrears of wages/salary paid due to revision of wages/salary etc. will be included in computing the eligible amount and difference would be paid.

(iv) Payment of bonus shall be in accordance with provisions of Payment of Bonus Act.

(v) For purpose of reckoning a month while calculating ex gratia amount, it shall be reckoned as 30 days in a month. Further, compensation for proportionate month shall also be taken into account for calculation of the ex gratia amount.

(vi) After calculation of ex gratia as given above, if the total amount of ex gratia exceeds 4 lakhs of rupees, payment of ex gratia shall be restricted to Rs. 4 lakhs only. In other words

for any employee the ex gratia amount shall not exceed Rs. 4 lakhs and in case if the calculated ex gratia amount is less than Rs. 4 lakhs, the same shall be paid to that concerned employee.

6. *Other terminal benefits under the scheme.*— (i) The beneficiary under this scheme shall be entitled to settle his provident fund account as per provisions of the Provident Fund Act and the rules made thereunder.

(ii) He shall be paid cash equivalent of accumulated earned leave/privilege leave as per rules.

(iii) He shall be paid gratuity as per Payment of Gratuity Act or the Gratuity Scheme whichever is beneficial to the employee.

7. *Procedure.*— (i) An eligible employee may submit an application in the prescribed form for voluntary retirement under the scheme by tendering resignation from the post held and service in Swadeshi Cotton Mills or Sri Bharathi Mills to the competent authority. The posts that are falling vacant as a result of employees voluntary retirement under the scheme shall in all cases stand abolished simultaneously while accepting resignation and order to that effect issued simultaneously before disbursing retirement benefits to employees under this scheme and no category of person such as permanent / badli / substitutes / temporary / casual / trainee, *etc.* shall be engaged in these places. In other words the employees strength of the mills shall stand reduced to the extent of employees allowed to retire under the scheme and in no case the strength will be allowed to increase from the reduced level.

(ii) An employee retiring under this scheme shall not be eligible for appointment in any mills/office/ any other establishments of Puducherry Government Undertakings in any capacity, whatsoever.

(iii) All payment under this scheme shall be made by crossed account payee cheque only in favour of the retiring employee. The cheque shall be handed over to the retiring employee only after he/she affixed his/her signature/thumb-impression in token of its receipt which shall be countersigned by at least two witnesses.

(iv) The period of any type of training, *eg.*, management trainee, trainee supervisor or company trainee like apprentice trainee before being absorbed in regular grade in continuation of training will not be taken into account for reckoning length of service in the company.

(v) Payment under the scheme is subject to the concerned employee vacating company's accommodation or leased accommodation, returning of all of company's properties held by him/her any payment of all outstanding dues to the company.

8. *Method of calculation of gratuity.*— The gratuity shall be calculated and paid as per provisions contained in the Payment of Gratuity Act, 1972 as amended from time to time.

9. *Amendments.*— The Chairman / Managing Director, Swadeshee-Bharathee Textile Mills Limited, Puducherry shall be the competent authority to modify/alter/amend this scheme. Any such amendment by the competent authority should have prior approval of the Government.

10. An application submitted in pursuance of paragraph 7 shall be processed by the Personnel Department of the mills for final disposal by the competent authority. The decision taken by the Chairman/Managing Director of Swadeshee-Bharathee Textile Mills Limited on merits for acceptance or rejection of any application shall be final.

11. The scheme shall come into force with immediate effect and will be in operation for a period of two months from the date of issue of this notification. The functioning and effectiveness of the scheme shall be reviewed periodically by M/s. Swadeshee-Bharathee Textile Mills Limited, Puducherry and progress reported to the Government from time to time.

(By order of the Lieutenant-Governor)

P. RAJALAKSHMI,

Under Secretary to Government (Ind. & Com.).

online publication at "<http://styandptg.puducherry.gov.in>"

Government Central Press

Directorate of Stationery and Printing

Puducherry-9.